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**TERMINAL DISCLAIMER TO OBIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)
AMAT/4714.C1/GPIWVCVD/PJS

In re Application of: XI, ET AL

Application No: 10/762,764

Filed: JANUARY 22, 2004

For: METHOD AND APPARATUS FOR DEPOSITING REFRACTORY METAL LAYERS EMPLOYING SEQUENTIAL DEPOSITION
TECHNIQUES TO FORM A NUCLEATION LAYER

The owner*, APPLIED MATERIALS, INC., of SANTA CLARA, CALIFORNIA, having (100%) one hundred percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,551,929 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. his agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent

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2. ☒ The undersigned is an attorney of record. Reg. No. 25,438



December 21, 2004

Signature

Date

ROBERT W. MULCAHY

Typed or printed name

713-623-4844

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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